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**From:** Chiaruttini, Alexandra [achiarutti@pa.gov]  
**Sent:** 8/29/2018 4:39:26 PM  
**To:** Coe, Mary [Coe.Mary@epa.gov]  
**CC:** Armstead, John A. [Armstead.John@epa.gov]; daw, harry [daw.harry@epa.gov]; Pratt, Stacie [Pratt.Stacie@epa.gov]; Jamieson, Cheryl [Jamieson.Cheryl@epa.gov]; Fields, Jenifer [fields.jenifer@epa.gov]  
**Subject:** RE: MOA regarding beneficial Reuse of PCBs

Disregard my prior message.

I have looked at the document that you attached now. It appears that there are two items that remain in need of attention:

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If there is anything else that EPA believes should be addressed more thoroughly in the MOA, please let us know as soon as possible and we will try to flesh it out.

Thank you in advance, we will review this and get back to you.

Sincerely,

Alex

**Alexandra C. Chiaruttini | Chief Counsel**

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**From:** Coe, Mary [mailto:Coe.Mary@epa.gov]  
**Sent:** Tuesday, August 28, 2018 3:58 PM  
**To:** Chiaruttini, Alexandra <achiarutti@pa.gov>  
**Cc:** Armstead, John A. <Armstead.John@epa.gov>; daw, harry <daw.harry@epa.gov>; Pratt, Stacie <Pratt.Stacie@epa.gov>; Jamieson, Cheryl <Jamieson.Cheryl@epa.gov>; Fields, Jenifer <fields.jenifer@epa.gov>  
**Subject:** MOA regarding beneficial Reuse of PCBs

Hi, Alex –

The Region received PADEP's response to the proposed Memorandum of Agreement (MOA). The purpose of the MOA is to achieve regulatory certainty in relation to the use of PCBs on a national level. As we recently discussed, the federal requirement under TCSA on the use of PCBs is actually a prohibition. In determining the level which would conform to the prohibition, EPA uses the regulatory definition of quantifiable level which is 2 parts per million PCB. Both the Management of Fill Policy and the General Permit for Beneficial Use allow use of PCBs in excess of this federal

regulatory level. The federal PCB regulations distinguish the use of PCBs from the disposal of PCBs. Use is prohibited. Disposal is allowable under specified regulatory conditions.

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The Region continues to seek an expeditious resolution of this matter. I propose we have a conference call within the next week to attempt to resolve outstanding issues. I would be happy to arrange the call.

I look forward to hearing from you soon.

Mary

*Mary B. Coe  
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